

AO 91 (Rev. 11/11) Criminal Complaint

FILED

UNITED STATES DISTRICT COURT

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

for the

District of New Mexico

MAY 18 2016 *EW*

United States of America

v.

JOSE ANTONIO GOMEZ

Case No.

MATTHEW J. DYKMAN
CLERK*16mj 2346**Defendant(s)***CRIMINAL COMPLAINT**

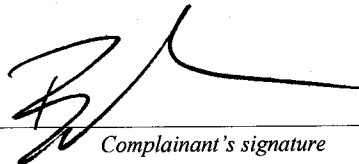
I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2014-2015 in the county of Bernalillo in the
District of New Mexico, the defendant(s) violated:*Code Section**Offense Description*

21 U.S. Code Section 846

Conspiracy to Distribute a Controlled Substance


This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*

Bryan Acee, FBI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/18/2016*Judge's signature*City and state: Albuquerque, New Mexico

Karen B. Molzen, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Bryan Acee, being duly sworn, depose and say:

1. I have been a law enforcement officer for 17 years and am employed as a Special Agent with the Federal Bureau of Investigation. I am assigned to the FBI's Safe Streets Gang Task Force in Albuquerque, New Mexico.
2. This affidavit is being submitted in support of a criminal complaint charging JOSE ANTONIO GOMEZ (born in 1980) with conspiracy to distribute controlled substances, in violation of 21 U.S.C. § 846.
3. I am the case agent in the FBI's investigation of the Sindicato de Nuevo Mexico (SNM) Gang that operates within the District of New Mexico and elsewhere. During the course of this investigation, the FBI utilized multiple confidential human sources (hereinafter "CHS" for both plural and singular) and undercover agents to conduct more than 50 controlled narcotics and firearms purchases from SNM Gang members and associates. FBI agents collected hundreds of hours of recordings on SNM Gang members and associates through the interception of wire communications, prison and jail telephone calls, and CHS and undercover agents who utilized covert recording devices during meetings and discussions with SNM members and associates. Much of the recordings pertain to gang related homicides, assaults, witness/informant intimidation, and drug distribution.
4. Over the past six months, FBI agents have arrested approximately sixty (60) members and associates of the SNM Gang on federal charges, to include: Racketeer Influenced and Corrupt Organizations (RICO) Conspiracy; Violent Crime in Aid of Racketeering (VICAR) murder, attempted murder, conspiracy to commit murder, assault with a deadly weapon resulting in serious bodily injury and conspiracy to commit assault with a deadly weapon resulting in serious bodily injury; felon in possession of a firearm; using or carrying a firearm during and in relation to a crime of violence; tampering with and retaliating against a witness, victim, or an informant; conspiracy to distribute and possession with intent to distribute heroin; and aiding and abetting.
5. Several of the subjects arrested are cooperating with the FBI and I have interviewed these persons and continue to do so. I became aware of several persons who actively support the SNM Gang through

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

drug sales on the streets and through the introduction of controlled substances into the prison in which SNM Gang members are incarcerated.

6. One such person, JOSE ANTONIO GOMEZ (hereafter referred to as "GOMEZ"), has been described and identified by several cooperating defendants as an SNM member and distributor of heroin and methamphetamine. Over the course of the investigation, I have become aware of the following information concerning GOMEZ's drug trafficking activities:

- a. In 2014, GOMEZ brokered a one-pound heroin deal between SNM Gang member Willie Romero, aka "Demon," and heroin dealers Johnny Herrera and Geraldine Herrera. Romero provided GOMEZ with \$10,000, and GOMEZ set up the deal with the Herreras. GOMEZ subsequently traveled to the Herreras' residence in Veguita, NM, and gave Johnny Herrera the money. Johnny Herrera gave GOMEZ one-pound of heroin. GOMEZ transported the heroin to Romero in Albuquerque. Romero paid GOMEZ for his participation in the deal by giving him an older model Toyota Corolla car.
- b. In late 2015, GOMEZ brokered a one-quarter pound (4 ounce) heroin deal between Andy Quintana and SNM Gang member Christopher Garcia. Quintana provided GOMEZ with approximately \$3500 for the heroin. GOMEZ set up the deal with Garcia and then drove to his residence in Albuquerque. GOMEZ provided the buy money to Garcia and received 4-ounces of heroin from him. GOMEZ then met Quintana at a near-by restaurant and provided him with the heroin. Quintana paid GOMEZ \$900-1000 for acquiring the heroin for Quintana.
- c. In late 2015, GOMEZ brokered a half-pound methamphetamine deal between White Power gang member Shane Foster and SNM Gang member Christopher Garcia. Foster provided GOMEZ with money to purchase the methamphetamine. GOMEZ called Garcia and set up the deal. GOMEZ then met Garcia at a residence in southern Albuquerque and provided the money to Garcia. Garcia gave GOMEZ the half-pound of

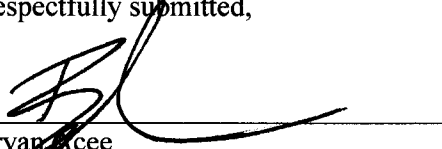
AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

methamphetamine and GOMEZ transported it to Foster. Foster paid GOMEZ \$400-500 for brokering the deal with Garcia.

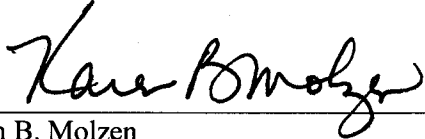
Conclusion:

7. Based on the above information, I believe that there is probable cause to believe that GOMEZ violated 21 U.S.C. § 846 – conspiracy to distribute a controlled substance, on numerous occasions between 2014 and 2015, within the District of New Mexico.

Respectfully submitted,


Bryan Rice
FBI Special Agent

Subscribed and sworn to before me on May 18, 2016:


Karen B. Molzen
United States Magistrate Judge